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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,001	01/16/2002	Markus Doetsch	L&L-10206	6339
24131	7590	09/03/2004	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			BAYARD, EMMANUEL	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/047,001

Applicant(s)

DOETSCH ET AL.

Examiner

Emmanuel Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

This is in response to request for reconsideration filed on 6/15/04 in which claims 1-12 are pending. The applicant's arguments have been considered but they are moot based on the new ground of rejection.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner U.S. Patent No 6,289,041 in view of Azuma U.S. Patent No 6,067,314.

As per claim 1, Krasner discloses a method of synchronizing mobile radio receivers in a cellular CDMA mobile radio system, wherein a first synchronization channel with a first frequency is provided for transmitting a synchronization signal with a code that is known to the mobile radio receivers and to base stations of the mobile radio system and wherein a transmission from a base station to a mobile radio receiver delays the synchronization signal by an unknown time period and the first frequency is shifted by the transmission to a second frequency, the method comprises the following steps: splitting a received synchronization signal into a real part and an imaginary part signal (see figs. 2, 4, 6 elements 202, 402, 602 and col. 3, lines 57-58 and col. 5, lines 40, 52); sampling the real part signal and the imaginary part signal to

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form sampled signals (see figs. 4, 6 elements 406, 606 and col.3, lines 61-62 and col.5, lines 42-44, 50-67 and col.6, lines 1-15); matched filter (see figs. 2, 4, 6a elements 204, 408 and 410, and col.3, line 56 and col.5, lines 5-6, 47 and col.6, lines 60-62). Note that matched filter is well known in the art to perform correlation process, therefore the matched filter of Krasner is functionally equivalent to the claimed (digitally filtered each sampled signal to correlate the sampled signal to the known code and to form filtered signals); squaring each filtered signal to form squared signals (see figs. 2, 4 elements 206, 416 and col.4, line 14 and col.5, line 7 and col.6, lines 45, 66-67); determining a maximum signal level from the squared signals (see figs. 2, 4 elements 208, and 2nd summer and col.4, line 22 and col.5, lines 7-8); loop integrator (see figs. 2, 4 elements 210, 426 and col.4, lines 16-28 and col.5, lines 7-19) is functionally equivalent to the claimed (estimating the unknown time period with the maximum signal level determined in the determining steps); digital frequency translate (see fig. 4 element 404 and col.5, lines 40-50 and col.7, lines 55-56) is functionally equivalent to the claimed (fine-tuning the second frequency to the first frequency).

However Krasner does not teach despreading the synchronization received with the known code and taking into account the time period estimated in the estimating steps and determining a frequency deviation between the first frequency and the second frequency based in part on the despread received synchronization signal.

Azuma teaches despreading the received synchronization signal with the known code and taking into account the time period estimated in the estimating steps (see fig. 1 element 9 and col.3, lines 10-50) and determining a frequency deviation between the first frequency and the

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second frequency based in part on the despread received synchronization signal (see col.3, lines 54-67 and col.4, lines 1-15 and col.6, lines 58-67).

It would have been obvious to one of ordinary skill in the art to implement the desreading of Azuma into Krasner as to correct frequency and phase synchronization in order to obtain phase information having the largest correlation value as taught by Azuma (see col.7, lines 20-23).

As per claim 2, the method of Krasner does include delaying the sampled values of each signal (see figs 6a, 6b elements 608, 622 and col.10, lines 7, 36-37 and col.13, line 23).

As per claim 3, the method of Krasner does include multiplying the different delayed sampled (see figs. 6a, 6b elements 612, 624 and col.8, line 40).

As per claim 4, the method of Krasner does include pairs of identical coefficients (see fig. 12 element 1206 and col.16, line 19).

As per claim 5, the method of Krasner does include code sequence chips (see col.3, lines 30-35).

As per claim 6, the method of Krasner does include sampling each signal (see fig.4 element 406).

As per claim 7, Krasner discloses a device for synchronizing mobile radio receivers in a mobile radio system having a first synchronization channel for transmitting a signal with a code that is know to all the mobile radio receivers and to all base stations of the mobile radio system comprising: input signal processing units in a mobile radio receiver for processing a received signal including a real part and an imaginary part signal (see figs.2, 4, 6 elements 202, 402, 602 and col.3, lines 57-58 and col.5, lines 40, 52; said input signal processing units generating

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sampled values (see figs. 4, 6 elements 406, 606 and col.3, lines 61-62 and col.5, lines 42-44, 50-67 and col.6, lines 1-15); a plurality of delay circuits ( see figs. 6a and 6b element 608, 622 and col.10, lines 7, 36-37 and col.13, line 23) connected in series with said input signal processing units for receiving an input signal and outputting an output signal, said delay circuits receiving the sampled values and matched filter (see figs. 2, 4, 6a elements 204 , 408 and 410, and col.3, line 56 and col.5, lines 5-6, 47 and col.6, lines 60-62). Note that matched filter is well Known in the art to perform correlation process, therefore the matched filter of Krasner is functionally equivalent to the claimed (correlating) the real part and the imaginary part signal with the known code; multipliers (see figs. 6a, 6b elements 612, 624 and col.8, lines 34, 40) connected to receive the input signal and the output signal of each delay circuit and multiplying a supplied signal with a coefficient; first adder (see fig.6a element 610 and col.8, line 34) connected to receive an output signal from each said multiplier and each outputting a summed signal; squaring each elements having an input connected to receive the summed signal from a respective said first adder and outputting a squared signal (see figs. 2, 4 elements 206, 416 and col.5, line 7 and col.6, line 45); a second adder (see figs. 2, 4 element 208 and col.4, line 22) connected to the squared signals from said squaring elements.

As per claim 8, the device of Krasner would include a low pass filter, a sampler and a memory as to accurately synchronize first frequency with the second frequency.

As per claim 9, the device of Krasner does include different number of coefficient (see fig.6a elements W1-W1023).

As per claims 10 and 11, the device of Krasner does include multipliers (see figs. 6a, 6b elements 612, 624 and col.8, line 40).

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As per claims 12, Atzuma does teach a primary synchronization (see fig.1 element 7). Furthermore implementing such teaching into Krasner would have been obvious to one skilled in the art as to correct frequency and phase synchronization in order to obtain phase information having the largest correlation value as taught by Azuma (see col.7, lines 20-23).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim et al U.S. patent No 6,563,807 B1 teaches an inter frequency handoff execution.

Shigyo et al U.S. patent No 6,430,209 B1 teaches a spread spectrum communication apparatus.

Park U.S. patent No 6,289,038 B1 teaches a parallel hopping Hybrid direct sequence.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is 703 308-9573.

The examiner can normally be reached on Monday-Friday (7:Am-4:30PM) Alternate Friday off.

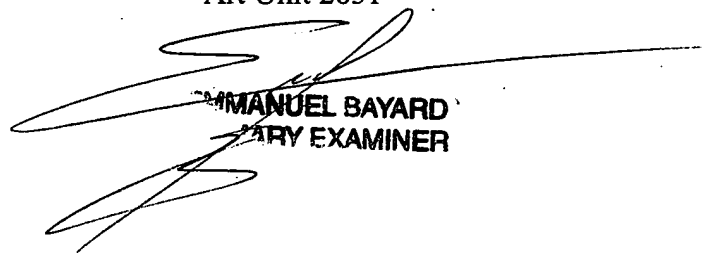
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on 703 306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8/25/04

Emmanuel Bayard  
Primary Examiner  
Art Unit 2631



EMMANUEL BAYARD  
PRIMARY EXAMINER